

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Tuesday, September 25, 2007 – 9:00 a.m. – Room W135 House Building

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Rep. Ben C. Ferry, House Chair
Sen. Mark B. Madsen
Sen. Michael G. Waddoups
Rep. James R. Gowans
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold

Members Excused:

Sen. Mike Dmitrich
Sen. Ed Mayne
Rep. Kory M. Holdaway

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Ferry called the meeting to order at 9:26 a.m.

MOTION: Sen. Waddoups moved to approve the minutes of the August 13, 2007 meeting. The motion passed unanimously.

2. R277-437 Student Enrollment Options – Bulletin, September 1, 2007, pp. 6-8

Mr. Hunsaker reviewed the decision of the Legislature, acting on the recommendation of the Committee during the January 31, 2007 meeting, to sunset this rule in the 2007 General Session. Mr. Hunsaker referred committee members to the Notice of Proposed Rule Amendment "R277-437 Student Enrollment Options" distributed in the mailing packet.

Dr. Patti Harrington, Utah State Superintendent of Public Education, distributed and reviewed "Student Enrollment Options." Ms. Harrington cited language which clearly encourages the vertical movement of students as they accelerate their studies and responded to questions from the Committee about options for parents and transportation funding.

Mr. Patrick Ogden, Associate Superintendent, State Office of Education, responded to questions about transportation.

Mr. Randy Smith, DavisParents.org, spoke in favor of the rule, but commented on additional issues that may yet provide means for a district to close a school.

3. R277-300 Concealed Firearm Permit Rule – Bulletin

Mr. Hunsaker introduced the issue.

Mr. Rick Wyss, Administrative Law Judge, Department of Public Safety, explained that the rule was enacted to bring the department into compliance with state and federal regulations regarding the issuance of concealed firearm permits to nonresident aliens. Mr. Wyss responded to committee questions about criminal background checks and the purchasing of firearms.

Lieutenant Doug Anderson, Department of Public Safety, discussed the difficulties in gathering background information on nonresident aliens.

MOTION: Rep. Newbold moved that R277-300 Concealed Firearm Permit Rule and the applicable statute be reviewed for clarity and possible modification and brought back to the Committee at a future meeting. The motion passed unanimously. Rep. Moss was absent for the vote.

4. Recodifying the Administrative Rulemaking Act

Mr. Ken Hansen, Director, Division of Administrative Rules, distributed "Title 63 Recodification Impact on Administrative Rules" and "Estimated Impact of Recodification on Rule Filings," and reported that The Office of Legislative Research and General Counsel has determined that Title 63 needs to be recodified.

5. Committee Business

Future meetings were scheduled for October 23, 2007, November 7, 2007, and November 27, 2007, all at 9:00 a.m.

6. Adjourn

MOTION: Sen. Waddoups moved to adjourn the meeting. The motion passed unanimously. Rep. Moss was absent for the vote.

Chair Ferry adjourned the meeting at 11:53 a.m.